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CONSOLIDATED INTERAGENCY AGREEMENT (IA) REVIEW PRINCIPLES

AGREED TO BY CDHEPA/DOE REVIEW TEAMS 1/18/94

1. Negotiations will work toward an IA that considers the current mission of Rocky Flats, which is "Manage waste and materials, clean up and convert the Rocky Flats site to beneficial use in a manner that is safe, environmentally and socially responsible, physically secure, and cost-effective."
2. Within the scope of the agreement, control of higher risks will be given priority, emphasizing and ensuring public and worker health and safety, and environmental protection.
3. The IA will remain essentially a remediation document. However, any issues that have the potential to impede the cleanup of the plant will be subject to negotiations.
4. A revised agreement must define and reflect a firm commitment by DOE to implement the agreement, a firm fiscal commitment, direct and meaningful EPA/CDH involvement in the budget development process, and specified management improvements. Any revised or new schedules must be coordinated with firm DOE fiscal commitments.
5. The three principals (EPA Regional Administrator, Director for the Office of Environment at Colorado Department of Health and RF Manager) enter IA negotiations with the same level of authority that binds their respective agencies.
6. The public will be involved in identifying areas within the present agreement in need of improvement and in setting goals for a revised cleanup approach at Rocky Flats. Increased stakeholder involvement in the work scope development, prioritization, schedule and budget process is required to develop an understanding of the public's desires. The Citizens Advisory Board should be utilized to coordinate stakeholder involvement, such as creation of a focus group encompassing all interested community groups.
7. Planning assumptions must be agreed upon by all parties. Comprehensive work scope, schedule, and cost estimates will be the basis for schedule discussions and milestone establishment in the IA. Regulators will be meaningfully involved in the development of the scope, schedule, and costs associated with IA implementation.
8. The agreement should allow flexibility to accomplish efficient cleanup at Rocky Flats. It must remain an effective enforcement vehicle. Negotiations should accommodate flexibility while retaining some milestone schedule framework.
9. The issues identified by the Quality Action Team (QAT) must have action plans and schedules for resolution prior to negotiations. All parties recognize that early efforts on these issues will facilitate effective and efficient negotiations.
10. The agreement should allow the opportunity for involvement by CDH & EPA in formal controls including formal baseline change control processes.

3
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11. Recognizing that future site use and cleanup are closely intertwined, risk assessment and risk management will be appropriately considered during negotiations.
12. A revised agreement should define an improved and accelerated cleanup program at Rocky Flats. New streamlined processes should be used wherever possible.
13. The Rocky Flats Plant is an NPL site subject to CERCLA and RCRA, and therefore it is recognized that the scope of the agreement will increase. The degree and extent of how the RCRA/CERCLA processes are applied to specific buildings, structures, materials and equipment will be subject to negotiations.
14. Prior to negotiation of revised schedules and milestones, procedures and regulations applicable to the activities covered by the agreement will be reviewed by DOE with the ultimate goal of achieving consensus among the parties regarding the elimination of those that add no value or unnecessarily delay the clean-up process. This review process will be conducted with participation of regulatory agencies and stakeholders.
15. The goal for the IA negotiations is not to exceed 4 months
16. Waste storage issues, including a schedule for expansion of permitted interim waste storage, must be resolved prior to negotiating revised schedules and milestones
17. EG&G must be held accountable to all parties for implementing the revised agreement.
18. Long-term storage of off-site wastes will not be allowed at the Rocky Flats Plant, except as specifically approved by CDH/EPA through orders, permits or agreements, such as those pursuant to FFC Act requirements. The use of limited quantities of wastes from other sites for technology development will be subject to CDH/EPA approval.
19. The existing IAG will remain in effect, including all procedural and penalty components, until specifically superseded by a revised and executed final IA. During the negotiation period, EPA/CDH may continue to assess stipulated penalties within terms of the present agreement, and DOE may dispute such assessment, pursuant to the IA.
20. DOE must continue to conduct necessary inspections of all radioactive, hazardous, and mixed wastes stored at Rocky Flats Plant to assure safety and proper management. Any issues regarding the proper management of mixed residues will be addressed in accordance with the appropriate provisions of the Residue Agreements.
21. D&D, transition, economic development, and waste management all potentially impact successful implementation of the IA. A common understanding of the concepts and impacts must be established at the beginning of negotiations.
22. Interim relief for DOE on milestone schedules and other compliance issues related to the IA must be accompanied by DOE schedule commitments on short and long-term issues, such as full compliance with RCRA/CHWA, cleanup, removal of stored waste from RFP, decommissioning completion, etc. DOE must affirm the Administration's commitment to requesting full funding for the IA requirements after the interim relief period (2-3 years).